

Entered - 10/17/01 - sb
CL01L0640 - DIANNE C. MITCHELL

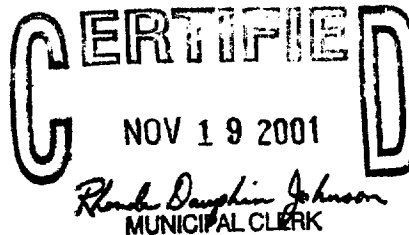
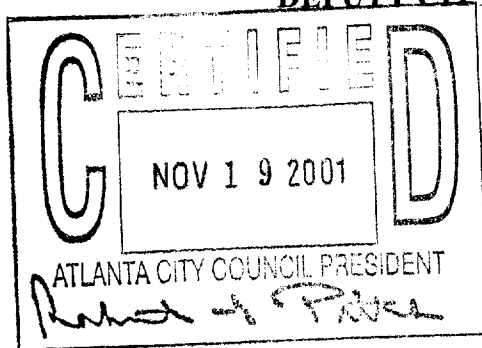
01-R-1837

CLAIM OF: **MICHAEL THOMPSON**
1628 Roman Point Drive
Norcross, Georgia 30093

For damages alleged to have been sustained as a result of vehicular damage during a police shoot out on August 25, 2001 at 1055 Peachtree Street.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSE REPORT
CITY COUNCIL NOV 19 2001

ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: _____

CHAIR: _____

NOV 19 2001

C. T. Mark



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

November 30, 2001

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Michael Thompson
1628 Roman Point Drive
Norcross, Georgia 30093

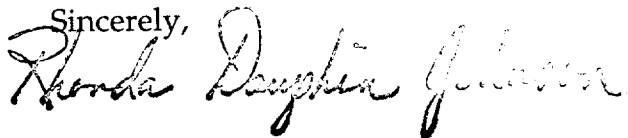
01-R-1837

Dear Mr. Thompson:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on November 19, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,


Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0640

Date: October 31, 2001

Claimant /Victim MICHAEL THOMPSON

BY: (Atty)(Ins. Co.) _____

Address: 1628 Roman Point Drive, Norcross, Georgia 30093

Subrogation: _____ Claim for Property damage \$ 3,594.74 Bodily Injury \$ _____

Date of Notice: 09/24/01 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 08/25/01 Place: 1055 Peachtree Street

Department Police Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that his vehicle was damaged when a police officer shot and killed an armed perpetrator who was standing in front of his vehicle. The City is immune from liability as set forth in O.C.G.A. §36-33-1 and §36-33-3.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

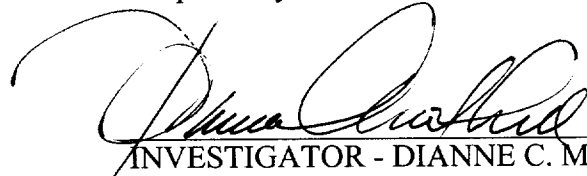
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 10-31-01

Committee Action: _____ Council Action _____

RCS# 3297
11/19/01
5:16 PM

Atlanta City Council

Regular Session

MULTIPLE

Unfavorable Claims; Public Safety Items
19 through 37
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

Y McCarty	B Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	NV Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

01-R-1835
01-R-1836
01-R-1837
01-R-1838
01-R-1839
01-R-1840
01-R-1841
01-R-1842
01-R-1843
01-R-1844
01-R-1845
01-R-1846
01-R-1847
01-R-1848
01-R-1849
01-R-1850
01-R-1851
01-R-1853
01-R-1855

MULTIPLE